

7644

**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

**RECEIVED**

**FEB 11 1999**

**INTERNET SERVICE CENTER**

ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIBALA  
MICHAEL B. RAY

ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
JOHN M. COVERT\*\*  
LINDA E. ALCORN  
RAZ E. FLESHNER  
ROBERT C. MILLONIG  
STEVEN R. LUDWIG  
MICHAEL V. MESSINGER

JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
BARBARA A. PARRIS  
STEPHEN G. WHITESIDE\*  
NOEL B. WHITLEY\*  
JEFFREY T. HELVEY\*  
KIMBERLIN L. MORLEY

RALPH P. ALBRECHT  
HEIDI L. KRAUS\*  
JEFFREY R. KURIN\*  
CARL B. MASSEY, JR.\*  
RAYMOND MILLIEN\*  
PATRICK D. O'BRIEN\*  
BRIAN S. ROSENBLUM\*  
LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES\*  
EDWARD W. YEE\*

DONALD J. FEATHERSTONE\*\*  
KAREN R. MARKOWICZ\*\*  
GRANT E. REED\*\*  
VICTOR E. JOHNSON\*\*  
SERGE SIRA\*\*  
SUZANNE E. ZISKA\*\*  
BRIAN J. DEL BUONO\*\*  
CAMERON H. TOUSI\*\*  
VINCENT L. CAPUANO\*\*  
DONALD R. BANOWIT\*\*  
DAVID P. MAIVALD\*\*



February 10, 1999

\*BAR OTHER THAN D.C.

\*\*REGISTERED PATENT AGENTS

**WRITER'S DIRECT NUMBER:**

(202) 371-2589

**INTERNET ADDRESS:**

[larryb@skgf.com](mailto:larryb@skgf.com)

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

**FEB 16 1999**

**MATRIX CUSTOMER  
SERVICE CENTER**

Re: U.S. Patent Application  
Appl. No. 08/380,200; Filed: January 30, 1995  
For: **New Protein-Polycation Conjugates**  
Inventors: Birnstiel *et al.*  
Our Ref: 0652.1080001/RWE/LBB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Transmittal Letter (*in duplicate*);
2. Fee Transmittal (*in duplicate*);
3. Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Large Entity (*in duplicate*);
4. Petition for Three-Month Extension of Time Under 37 C.F.R. § 1.136(a) (*in duplicate*);
5. SKG&F Check No. 22671 in the amount of \$1,170.00 to cover \$300.00 for appeal fee and \$870.00 for extension fee; and
6. Return post card.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

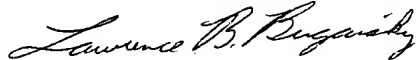
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Assistant Commissioner for Patents  
February 10, 1999  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lawrence B. Bugaisky  
Attorney for Applicants  
Registration No. 35,086

LBB/ybh

Enclosures

P:\USERS\YHARRIS\LBB\PTO\6521081.tr6  
SKGF Rev. 9/23/98 dcw

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b>				<b>Complete if Known</b>																																																																																																																																																																							
<p><i>Patent fees are subject to annual revision on October 1.</i>  <i>These are the fees effective October 1, 1997.</i>  <i>Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</i>  <i>See 37 C.F.R. §§ 1.27 and 1.28.</i></p>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>08/380,200</td> </tr> <tr> <td>Filing Date</td> <td>January 30, 1995</td> </tr> <tr> <td>First Named Inventor</td> <td>BIRNSTIEL et al.</td> </tr> <tr> <td>Examiner Name</td> <td>Eisenschenk, F.</td> </tr> <tr> <td>Group / Art Unit</td> <td>1644</td> </tr> <tr> <td>Attorney Docket Number</td> <td>0652.1080001/RWE/LBB</td> </tr> </table>		Application Number	08/380,200	Filing Date	January 30, 1995	First Named Inventor	BIRNSTIEL et al.	Examiner Name	Eisenschenk, F.	Group / Art Unit	1644	Attorney Docket Number	0652.1080001/RWE/LBB																																																																																																																																																										
Application Number	08/380,200																																																																																																																																																																										
Filing Date	January 30, 1995																																																																																																																																																																										
First Named Inventor	BIRNSTIEL et al.																																																																																																																																																																										
Examiner Name	Eisenschenk, F.																																																																																																																																																																										
Group / Art Unit	1644																																																																																																																																																																										
Attorney Docket Number	0652.1080001/RWE/LBB																																																																																																																																																																										
TOTAL AMOUNT OF PAYMENT		(\$1,170.00)																																																																																																																																																																									
<b>METHOD OF PAYMENT (check one)</b>			<b>FEE CALCULATION (continued)</b>																																																																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17    <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance</p>			Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td>\$870</td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td>\$300</td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>760</td><td>246</td><td>380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>760</td><td>249</td><td>380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> </tbody> </table> <p>Other fee (specify): _____            Other fee (specify): _____            *Reduced by Basic Filing Fee Paid</p>			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month	\$870	118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month		119	300	219	150	Notice of Appeal	\$300	120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))		149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	
Deposit Account Number	19-0036																																																																																																																																																																										
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.																																																																																																																																																																										
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																						
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																							
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																							
139	130	139	130	Non-English specification																																																																																																																																																																							
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																							
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																							
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																							
115	110	215	55	Extension for reply within first month																																																																																																																																																																							
116	380	216	190	Extension for reply within second month																																																																																																																																																																							
117	870	217	435	Extension for reply within third month	\$870																																																																																																																																																																						
118	1,360	218	680	Extension for reply within fourth month																																																																																																																																																																							
128	1,850	228	925	Extension for reply within fifth month																																																																																																																																																																							
119	300	219	150	Notice of Appeal	\$300																																																																																																																																																																						
120	300	220	150	Filing a brief in support of an appeal																																																																																																																																																																							
121	260	221	130	Request for oral hearing																																																																																																																																																																							
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																							
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																							
141	1,210	241	605	Petition to revive - unintentional																																																																																																																																																																							
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																							
143	430	243	215	Design issue fee																																																																																																																																																																							
144	580	244	290	Plant issue fee																																																																																																																																																																							
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																							
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																							
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																							
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																							
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																							
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																							
<p>2. <input checked="" type="checkbox"/> Payment Enclosed:    <input checked="" type="checkbox"/> Check No. <u>23671</u>  <input type="checkbox"/> Money Order    <input checked="" type="checkbox"/> Other*</p> <p>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</p>			<p><b>FEE CALCULATION</b></p> <p>1. BASIC FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>760</td><td>201</td><td>380</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>310</td><td>206</td><td>155</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>480</td><td>207</td><td>240</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>760</td><td>208</td><td>380</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (1) (\$) _____</p>			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	760	201	380	Utility filing fee		106	310	206	155	Design filing fee		107	480	207	240	Plant filing fee		108	760	208	380	Reissue filing fee		114	150	214	75	Provisional filing fee																																																																																																																																			
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																						
101	760	201	380	Utility filing fee																																																																																																																																																																							
106	310	206	155	Design filing fee																																																																																																																																																																							
107	480	207	240	Plant filing fee																																																																																																																																																																							
108	760	208	380	Reissue filing fee																																																																																																																																																																							
114	150	214	75	Provisional filing fee																																																																																																																																																																							
<p>2. EXTRA CLAIM FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims _____ - 20** = _____ X _____ = _____</td> <td></td> <td></td> </tr> <tr> <td>Indep. Claims _____ - 3** = _____ X _____ = _____</td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent Claims _____ = _____</td> <td></td> <td></td> </tr> </tbody> </table> <p>** or number previously paid, if greater; For Reissues, see below</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>78</td><td>202</td><td>39</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependant claim</td></tr> <tr><td>108</td><td>78</td><td>209</td><td>39</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (2) (\$) _____</p>			Extra	Fee from below	Fee Paid	Total Claims _____ - 20** = _____ X _____ = _____			Indep. Claims _____ - 3** = _____ X _____ = _____			Multiple Dependent Claims _____ = _____			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	78	202	39	Independent claims in excess of 3	104	260	204	130	Multiple dependant claim	108	78	209	39	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	<p style="text-align: right;">SUBTOTAL (3) (\$) 1,170.00</p>																																																																																																																														
Extra	Fee from below	Fee Paid																																																																																																																																																																									
Total Claims _____ - 20** = _____ X _____ = _____																																																																																																																																																																											
Indep. Claims _____ - 3** = _____ X _____ = _____																																																																																																																																																																											
Multiple Dependent Claims _____ = _____																																																																																																																																																																											
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																							
103	18	203	9	Claims in excess of 20																																																																																																																																																																							
102	78	202	39	Independent claims in excess of 3																																																																																																																																																																							
104	260	204	130	Multiple dependant claim																																																																																																																																																																							
108	78	209	39	**Reissue independent claims over original patent																																																																																																																																																																							
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																							
SUBMITTED BY				Complete (if applicable)																																																																																																																																																																							
Typed or Printed Name		Lawrence B. Bugaisky		Reg. Number																																																																																																																																																																							
Signature		<i>Lawrence B. Bugaisky</i>		35,086																																																																																																																																																																							
Date		February 10, 1995		Deposit Acct. User ID																																																																																																																																																																							

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.